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09/638,388	08/15/2000	Philip D. Mooney	MOONEY	1998

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Farkas & Manelli PLLC
2000 M Street N W 7th Floor
Washington, DC 20036-3307

EXAMINER

KUMAR, SRILAKSHMI K

ART UNIT	PAPER NUMBER
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2675

DATE MAILED: 08/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/638,388

Applicant(s)

MOONEY ET AL.

Examiner

Srilakshmi K. Kumar

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

The following office action is in response to the amendment filed on May 10, 2005. Claims 1-27 are pending. Claims 1, 8 12 and 20 have been amended.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 5-7 are rejected under 35 U.S.C. 103(a) as being unpatentable by Ho et al (GB 2,319,747 A) in view of Nikolich (US 5,986,562).

As to independent claim 1, Ho et al disclose an electronic wireless badge device (Fig. 1,) comprising, an information exchange module (Fig. 3) to wirelessly communicate with a database (pg. 1, lines 22-34, pg. 3, lines 35-pg. 4, lines 17) and an electronic display (Fig. 1, item 20) adapted to electronically display on said wireless badge (Fig. 1, pg. 1, lines 22-34). Ho et al disclose on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3, where the displayed information is that of a wearer of said electronic wireless badge device.

Ho et al do not explicitly state where the electronic display is adapted to electronically display a photograph. Ho et al disclose where the electronic display is an LCD type display on pg. 6, line 3. It is well known in the art where LCD type displays are able to display images such as photographs, thus Ho et al is shown display photographs on the electronic display.

Ho et al do not disclose where the wireless badge device has a wireless front end.

Nikolich discloses using a wireless front end by means of an RFID tag holder in col. 2, lines 15-

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64. Nikolich also discloses in col. 2, lines 43-49 where the non-RFID tag, such as the ID badge of Ho et al, may also be permanently affixed to the housing. It would be obvious to one of ordinary skill in the art to combine the wireless front end disclosed by Nikolich into that of Ho et al as by this combination, Nikolich discloses the advantage of using a wireless front end such as RFID technology which is able to store large amounts of information and transmit information, and further, the RFID technology is able to be reused for new badges when old badges are out of date (col. 1, lines 23-44).

As to dependent claim 2, limitations of claim 1, and further comprising Ho et al disclose where said electronic display is adapted to display any of one of a plurality of different badge information at any one time (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3).

As to dependent claim 5, limitations of claim 1, and further comprising Ho et al disclose wherein said badge information includes a photo of an authorized wearer (Fig. 1, item 16, pg. 5, lines 25-31).

As to dependent claim 6, limitations of claim 1, and further comprising Ho et al disclose wherein said electronic display is an LCD device (pg. 3, line 27).

As to dependent claim 7, limitations of claim 1, and further comprising, Ho et al disclose a non-volatile memory for storing badge information on said badge display (pg. 3, lines 4-9, pg. 6, lines 8-19).

3. Claims 3, 8, 9, 11-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al (GB 2,319,747 A) in view of Nikolich (US 5,986,562) and further, in view of Tuttle (US 6,127,917).

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As to independent claim 8, limitation of claim 1, and further comprising, Ho et al do not disclose a network security station, comprising, a database of badge information corresponding to said authorized user codes; and a wireless front end adapted to transmit badge information retrieved from said database of badge information.

Tuttle discloses a network security station (col. 18, lines 17-48) comprising a database of badge information corresponding to said authorized user codes (col. 17, lines 22-65 and col. 18, lines 17-48); and a wireless front end adapted to transmit badge information retrieved from said database of badge information in (col. 17, lines 22-65 and col. 18, lines 17-48). It would have been obvious to one of ordinary skill in the art to include a network security station, comprising, a database of badge information corresponding to said authorized user codes; and a wireless front end adapted to transmit badge information retrieved from said database of badge information as shown by Tuttle into that of Ho et al as is disclosed by Tuttle in col. 18, lines 17-48 for security purposes and to prevent unauthorized individuals from entering restricted areas.

As to independent claims 12 and 20, limitations of claims 1 and 8, and further comprising, Ho et al disclose electronically displaying said badge display information on each of said plurality of electronic wireless badges (pg. 7, lines 5-20).

As to dependent claims 3, 9, 13 and 21, limitations of claim 1, 8, 12 and 20, and further comprising, Ho et al do not disclose a central station with several remote stations with several communications units or wireless badges. Tuttle discloses a central station with several remote stations with several communications units or wireless badges in col. 17, lines 22-65, col. 18, lines 17-48 where the main system communicates information about passengers to remote terminals at each gate of the airport. It would have been obvious to one of ordinary skill in the

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art to include a central station with several remote stations with several communications units or wireless badges as shown by Tuttle into Ho et al as is disclosed by Tuttle in col. 18, lines 17-48 when the central network security which communicates to remote terminals in this fashion, security is able to monitor the location of individuals and determine whether they are accessing restricted areas.

As to dependent claim 9, limitations of claim 8, and further comprising Ho et al disclose where said electronic display is adapted to display any of one of a plurality of different badge information at any one time (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3).

As to dependent claim 11, limitations of claim 8, and further comprising Ho et al disclose wherein said badge information includes a photo of an authorized wearer (Fig. 1, item 16, pg. 5, lines 25-31).

As to dependent claims 14 and 22 limitations of claims 13 and 21, and further comprising Ho et al disclose wherein said badge display information displayed on each of said plurality of electronic wireless badges is different (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3). Ho et al disclose where different information such as proper access authorization, time of arrival or time of departure is displayed.

As to dependent claims 15 and 23, limitations of claims 13 and 21, and further comprising, Ho et al disclose authorizing said electronic wireless badges to receive badge display information (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3). Ho et al disclose where different information such as proper access authorization, time of arrival or time of departure is displayed.

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As to dependent claim 16 and 24, limitations of claims 13 and 21, and further comprising, Ho et al disclose altering said badge display information periodically to prevent fraud (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3). Ho et al disclose where different information such as proper access authorization, time of arrival or time of departure is displayed. Also displayed would be the last updating of information about the user.

As to dependent claims 17 and 25, limitations of claims 16 and 24, and further comprising, Ho et al and Tuttle fail to explicitly disclose flashing a display of said wireless badges in concert. However, Examiner takes Official Notice of the features of flashing a display as it is well known in the art for displays to flash. It would have been obvious to one of ordinary skill in the art to include the features of flashing a display as the flashing would show an indication of "flagging" an individual in a restricted access area.

As to dependent claims 18 and 26, limitations of claims 13 and 21, and further comprising, Ho et al disclose linking badge information stored in said electronic wireless badge (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3).

As to dependent claims 19 and 27, limitations of claims 18 and 26, and further comprising Ho et al and Tuttle fail to explicitly disclose wherein said application computer is a register checkout. However, Ho et al (on pg. 3, line 35-pg. 4, line 17, and pg. 6, line 28-pg. 7, line 3) and Tuttle (in col. 17, lines 22-65, col. 18, lines 17-48) disclose where the computers store information in order to enter or exit an area, time keeping, personal identification information. It would have been obvious to one of ordinary skill in the art to have the application computer be a register checkout as the identification card could easily store information from credit cards for

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use at the checkout, and would be advantageous as it would enable the user to only carry one card for all purposes.

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al (GB 2,319,747 A) in view of Nikolich (US 5,986,562) and further, in view of Bork et al (US 6,246,376).

As to dependent claim 4 limitations of claim 1, and further comprising Ho et al does not disclose a BLUETOOTH device. Bork et al disclose in col. 2, lines 4-11 where a wireless location and direction indicator users BLUETOOTH protocol, which permits multiple piconets to exist in, close proximity. It would have been obvious to one of ordinary skill in the art to include a BLUETOOTH device as disclosed by Bork et al in Ho et al in order to communicate means for locating and subsequently sending other information to the wireless badges. Bork et al disclose a system for wireless locating for multiple devices. The piconets using BLUETOOTH are advantageous as it is capable of communicating with like communication devices to transfer identification data and either fixed or variable location data as disclosed by Bork et al.

5. Claim 10 rejected under 35 U.S.C. 103(a) as being unpatentable over Ho et al (GB 2,319,747 A) in view of Nikolich (US 5,986,562) and further, in view of Tuttle (US 6,127,917) and further in view of Bork et al (US 6,246,376).

As to dependent claim 10 limitations of claim 8, and further comprising Ho et al does not disclose a BLUETOOTH device. Bork et al disclose in col. 2, lines 4-11 where a wireless location and direction indicator users BLUETOOTH protocol, which permits multiple piconets to exist in, close proximity. It would have been obvious to one of ordinary skill in the art to include a BLUETOOTH device as disclosed by Bork et al in Ho et al in order to communicate

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means for locating and subsequently sending other information to the wireless badges. Bork et al disclose a system for wireless locating for multiple devices. The piconets using BLUETOOTH are advantageous as it is capable of communicating with like communication devices to transfer identification data and either fixed or variable location data as disclosed by Bork et al.

Response to Arguments

6. Applicant's arguments filed May 10, 2005 have been fully considered but they are not persuasive.

In the remarks section of applicant's response, applicant argues where the prior art, Ho et al, Nikolich, Tuttle and Bork et al fail to disclose a wireless badge device comprising an electronic display to electronically display a photograph. Examiner, respectfully, disagrees. Ho et al disclose a wireless badge device, but do not disclose a wireless front end, which is disclosed by Nikolich (see rejection, above). The prior art, Tuttle, discloses a central station with several remote stations with several communications units or wireless badges. The prior art, Bork et al, disclose BLUETOOTH protocol. With respect to the electronic display displaying a photograph, Ho et al disclose an LCD display, Fig. 1, item 20. As is well known in conventional art, LCD display are capable of displaying images such as photographs, therefore, Ho et al, clearly, disclose the feature of electronically displaying a photograph.

With respect to claims 17 and 25, as applicant has not traversed the Official Notice, the common knowledge or well-known in the art statement is taken to be admitted prior art.

As shown above, the combination of the prior art disclose the limitations set forth by the instant application, therefore, the rejection is maintained and made final.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Srilakshmi K. Kumar whose telephone number is 571 272 7769. The examiner can normally be reached on 10:00 am to 6:30 pm.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sumati Lefkowitz can be reached on 571 272 3638. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Srilakshmi K. Kumar
Examiner
Art Unit 2675

SKK
August 5, 2005


CHANH NGUYEN
PRIMARY EXAMINER